

EWD  
curing the non-magnetic layer after drying the non-magnetic layer coating material; and applying a magnetic layer coating material more excessively than an intended magnetic layer-wet thickness onto the non-magnetic layer by using a die nozzle coating followed by scraping excess amounts of the magnetic layer coating material to the intended magnetic layer-wet thickness by means of a wire bar or a non-wire coater bar in which a channel is formed thereon to form a magnetic coating layer.

#### REMARKS

This is a full and timely response to the non-final Official Action mailed August 9, 2002. Reexamination and reconsideration in light of the above amendments and the following remarks are courteously requested.

By the foregoing amendment, claim 1 has been amended. This amendment is merely the incorporation of dependent claim 6 into claim 1, and consequently does not raise new issues for the Examiner's consideration. Entry of the amendment as compliant with Rule 116 is courteously requested. No claims are added, and claim 6 is canceled. Thus, claims 1 to 5, and 7 to 10 are currently pending for the Examiner's consideration, with claims 1 and 7 being independent claims.

In the Office Action, the Examiner rejected claim 1 under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. Re. 36,220 ("Mori"). This rejection is rendered moot by the present amendment, as the Examiner concedes that claim 6 is not anticipated by Mori.

Claims 2 to 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mori. Claims 7 to 10 are rejected as being unpatentable over Mori in view of U.S. Patent No. 5,382,687 ("Morishita"). These rejections are respectfully traversed.

Mori discloses a method for producing a "magnetic medium which comprises a non-magnetic support, two ... coating layers provided on the support, an upper layer of the coating layers being a magnetic layer ... and a lower layer of the coating layers being a non-magnetic layer ..." (column 3, lines 32 to 38). However, it is important to note that Mori fails to disclose or suggest the presently-claimed step of curing the non-magnetic layer.

Morishita discloses an electrophotographic member that forms a photoconductive layer on an electroconductive support (column 26, lines 45 to 52). Alternatively, Morishita teaches that an undercoating layer is formed between the electroconductive support and the photoconductive layer (column 28, lines 57 to 59). Further, Morishita discloses that the undercoating layer comprises a thermosetting resin and a curing agent (column 29, line 30). Consequently, Morishita arguably teaches that a curing process is performed on an undercoating layer. However, Morishita is directed to the electrophotographic member for such devices as copying machine (class G07C, International Classification). In contrast, the present invention is directed to the magnetic recording medium (class G11B, International Classification). The major significance of the differing technology is that the nonmagnetic layer described in Morishita (col. 29, lines 1 to 45) is not used as an underlayer for a magnetic layer. Rather, Morishita teaches that the undercoating layer is a support for a photoconductive layer in an electrophotographic member for such devices as copying machines. The underlayer described by Morishita is cured in order to improve solvent resistance and film strength of the in order to prevent damage to the undercoating layer when it is exposed to solvent when the photoconductive layer is formed thereon. While the present invention involves curing the nonmagnetic layer for protective reasons, there is no teaching or suggestion that the same types of solvents that Morishita discloses as part of the photoconductive layer solution would be present in the magnetic material

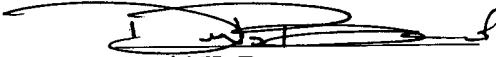
solution of the present invention. Consequently, a person of ordinary skill in the art would not see the Morishita curing process as pertinent to the technology of the current invention.

"The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 USPQ2d 1420 (Fed. Cir. 1990)." M.P.E.P. § 2143.01. Because the person of ordinary skill in the pertinent art would not find a suggestion that the curing process of Morishita would be effective or desirable in the Mori process, such a person would not find motivation to reach the present invention in the cited prior art. Consequently, the rejections of claims 1 to 5, and 7 to 10 should be withdrawn.

For the foregoing reasons, all the claims now pending in the present application are believed to be clearly patentable over the prior art of record. Accordingly, favorable reconsideration of the claims in light of the above remarks is courteously solicited. If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

Respectfully submitted,

DATE: November 12, 2002

  
David K. Benson  
Registration No. 42,314

**RADER, FISHMAN & GRAUER, PLLC**  
Lion Building  
1233 20<sup>th</sup> Street, N.W.  
Washington, D.C. 20036  
Tel: (202) 955-3750  
Fax: (202) 955-3751

Appendix

## Amendments to the Claims

1. (amended) A process for producing a magnetic recording medium which comprises:  
applying a non-magnetic layer coating material onto a non-magnetic support; [and]  
drying the coating material to form a non-magnetic layer[, and then];  
curing the non-magnetic layer after drying the non-magnetic layer coating material; and  
applying a magnetic layer coating material more excessively than an intended magnetic  
layer-wet thickness onto the non-magnetic layer by using a die nozzle coating followed by  
scraping excess amounts of the magnetic layer coating material to the intended magnetic layer-  
wet thickness by means of a wire bar or a non-wire coater bar in which a channel is formed  
thereon to form a magnetic coating layer.